



**Surfrider
Foundation.**

Surfrider Foundation Oahu Chapter

PO Box 356
Haleiwa, HI 96712
tel: 638-7341

Chairman: Peter Cole
colep002@hawaii.rr.com

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March 28, 2008

City Council Zoning Committee
Chair Barbara Marshall

Subject: Reject any Turtle Bay Expansion Permit Application before the Department of Planning and Permitting (DPP)

It has been twenty years since Prudential's zoning request for the Turtle Bay expansion was passed by the City Council and the Unilateral Agreement was developed between the Council and Prudential. The Belt Collins EIS was developed twenty one years ago. In the meantime, we have seen Prudential immediately sell the development, for a giant profit because of the rezoning, to a Japanese Company at the height of the Japanese real estate bubble that burst soon after. Kawela Bay residents were forced out of their homes, which were then demolished, a few pilings constructed and public access eliminated. With the ridiculous unilateral agreement stating that all public amenities would come only after project completion, the public no longer had access to one of the nicest beaches on the island with the only results being a few ugly pilings that are still there.

Now we have a similar situation where Oaktree, like Prudential, wants to sell the development for a giant profit by getting all the permits in place, based on a twenty year old unilateral agreement, that was questionable at the time and is totally inapplicable today, and a twenty one year old EIS that is equally inappropriate in today's environment. For the City Council to allow this to happen would be a travesty of unequal precedent.

What should be done is to make the past zoning and associated unilateral agreement void along with the EIS, and require the developer to go through the entire planning, permitting and zoning process from scratch.

Sincerely,

Peter V.Z. Cole
Chairman, Surfrider Foundation Oahu Chapter

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 CITY CLERK
 HONOLULU, HAWAII